

REMARKS

Applicant acknowledges receipt of the Office Action dated August 23, 2004. The Office Action rejects all pending claims 1 – 23 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,308,309 issued to Andy H. Gan et al. (“Gan”). In light of the foregoing amendments and following remarks, Applicants respectfully request the Examiner’s reconsideration and reexamination of all pending claims.

As noted, all claims were rejected under 35 U.S.C. § 102(e) as being anticipated by Gan. The Office Action asserts that all limitations of independent claim 1 are taught by Gan. Claim 1 sets forth:

Claim 1 (Currently Amended) A computer program product, encoded in computer readable media, the computer program product for designing an integrated circuit chip, comprising:
a first set of instructions, executable on a computer system, the first set of instructions configured to model an input/output cell located on ~~the~~ a perimeter of an integrated circuit, the model of the input/output cell ~~further~~ comprising:
a model of a main cell; and
a model of a pre-cell; and
a second set of instructions, executable on a the computer system, the second set of instructions configured to model a cover wherein the cover prevents an area occupied by the pre-cell from being used for any other purpose ~~in the model~~.

The Office Action equates claim 1’s model of a main-cell with the standard block 210 found in Figure 2 of Gan, and the Office Action equates claim 1’s model of a pre-cell with phantom block 220, 230, shown in Figure 2 of Gan. However, the Office Action does not indicate that Gan teaches or fairly suggests that standard block 210 and phantom block 220, 230 are components of an input/output cell as required by independent claim 1. For this reason, Applicant submits that claim 1 is patentably distinguishable over Gan.

Notwithstanding, the Office Action further asserts that Gan teaches claim 1’s second set of instructions configured to model a cover wherein the cover prevents an area occupied by the

pre-cell from being used for any other purpose in the model, citing column 4, lines 6 – 45 in support thereof. In this allegation, the Office Action asserts that the stopper cell 245 equates to the claim 1's cover. However, Gan clearly shows in Figure 2 that stopper cells 245 occupy an area of ASIC 200 distinct from phantom block 220, 230. It is noted that phantom blocks 220 and 230 are defined within respective bounding boxes 235 and 240, and bounded boxes are a term of art that describes the smallest area that encloses all the geometry of the circuit design of the cell. Clearly, as can be seen from Figure 2 of Gan, stopper cells 245 are positioned on an ASIC 200 in areas distinct from phantom blocks 220, 230. Accordingly, stopper cells cannot act as a cover and prevent an area occupied by phantom block 220, 230 from being used for any purpose other than occupation by the phantom block 220, 230. Accordingly, Applicants submit that independent claim 1 is patentably distinguishable over Gan et al.

Claims 2 – 8 depend from independent claim 1. Insofar as independent claim 1 has been shown to be patentably distinguishable over Gan, it follows that dependent claims 2 – 8 are likewise patentably distinguishable.

Claims 9 – 23 were rejected based upon the same reasoning as claims 108 in the Office Action. The Office Action asserts that claims 9 – 23 recite method and apparatus claims reciting the same limitations as claims 1 – 8. Presuming the limitations of independent claims 9 and 18 are similar to the limitations of independent claim 1, it follows that the arguments supporting patentability of independent claim 1 over Gan, apply equally to independent claims 9 and 18.

Claims 10 – 17 and claims 19 – 23 depend directly or indirectly from independent claims 9 and 18, respectively. As so far as independent claims 9 and 18 have been shown to be patentably distinguishable over Gan, it follows that these dependent claims are likewise patentably distinguishable.

CONCLUSION

Applicant(s) submit that all claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia, 22313-1450, on 11/22/04.



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11/22/04

Date of Signature

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